

MITIGATED NEGATIVE DECLARATION

for the

YUBA COUNTY WATER AGENCY
PROPOSED EXTENSION PETITION FOR THE INTERIM INSTREAM
FLOW REQUIREMENTS UNDER
STATE WATER RESOURCES CONTROL BOARD
REVISED WATER RIGHT DECISION 1644

Prepared for



Prepared by



November 2006

(State Clearinghouse Number: 2006102026)

MITIGATED NEGATIVE DECLARATION

PROJECT TITLE: PROPOSED EXTENSION PETITION FOR THE INTERIM INSTREAM FLOW REQUIREMENTS UNDER STATE WATER RESOURCES CONTROL BOARD REVISED WATER RIGHT DECISION 1644

DATE: November 14, 2006

PROJECT APPLICANT: Yuba County Water Agency

LEAD AGENCY: Yuba County Water Agency

CONTACT PERSON: Curt Aikens, General Manager (530/741-6278)

PROJECT DESCRIPTION

Yuba County Water Agency (YCWA) is submitting a petition to modify the terms of YCWA's water right permits to change the effective date of RD-1644 long-term instream flow requirements from March 1, 2007 to April 1, 2008. Additionally, pursuant to Water Code §1725, YCWA and the California Department of Water Resources (DWR) propose to conduct a one-year water transfer for 2007 (March 2007 through December 2007). The proposed project would enable a one-year water transfer of up to 125,000 acre-feet of water from YCWA to DWR, which would provide YCWA a source of revenue and assist DWR in meeting a substantial portion of the Environmental Water Account Program asset acquisition goal for 2007. The proposed project involves YCWA transferring water from New Bullards Bar Reservoir using the Yuba River Development Project (Yuba Project) facilities to DWR via the lower Yuba River, lower Feather River, Sacramento River, and the Delta.

DECLARATION

Yuba County Water Agency has determined that, although the above project could have a significant impact on the environment, mitigation measures described in the Initial Study and Mitigation Monitoring and Reporting Program have been incorporated into the project that avoid the potential of significant impacts or mitigate the impacts to a point where clearly no significant impacts would occur. The determination is based on the attached Initial Study (SCH # 2006102026), the whole record before the Agency, and the following findings:

1. The project will not degrade environmental quality, substantially reduce habitat, cause a wildlife population to drop below self-sustaining levels, reduce the number or restrict the range of special-status species, or eliminate important examples of California history or prehistory.
2. The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
3. The project will not have impacts that are individually limited but cumulatively considerable.

4. The project will not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.
5. No substantial evidence exists that the project will have a negative or adverse effect on the environment.
6. The project incorporates all applicable mitigation measures or environmental commitments identified in the Initial Study (attached).
7. This Mitigated Negative Declaration reflects the independent judgment of the lead agency.

The following environmental commitments (mitigation measures) will be implemented by the agency as part of the proposed project. Implementation of these measures would reduce any potential impacts to a less-than-significant level.

- ❑ Air Quality - YCWA and Member Units No Net Increase Air Quality Mitigation Plan
- ❑ Fisheries Resources - River Management Team/YCWA coordination and consultation regarding 2007 Pilot Program Fisheries Agreement
- ❑ Terrestrial Resources- EWA EIS/EIR Mitigation Plan (SCH # 2001072046) for Reservoir Drawdown
- ❑ Cultural Resources- EWA EIS/EIR Mitigation Plan (SCH # 2001072046) for Reservoir Drawdown
- ❑ Groundwater Resources- YCWA Groundwater Monitoring and Reporting Plan

The mitigation measures are described in more detail in the Mitigation Monitoring and Reporting Program, which is adopted concurrently with this Mitigated Negative Declaration.

The public review period for the Draft Initial Study/Proposed Mitigated Negative Declaration expired on November 6, 2006.

The Initial Study, documents referenced in the Initial Study, Proposal to Adopt Mitigated Negative Declaration, comments on the Proposal, and other documents concerning the Project are on file and available for public review at the Yuba County Water Agency office, 1402 D Street Marysville, CA 95901, (530) 741-6278. Curt Aikens, Agency General Manager (same address and phone), is the custodian of the documents that constitute the record of proceedings upon which the decision in this matter is based.

Curt Aikens
General Manager
Yuba County Water Agency

November 14, 2006
Date